

Docket No.: 082771.P332PCTUS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James V. Luciani

Application No.: 09/786,529

Filed: 2/23/2001

For: **A Non-Broadcast, Multiple Access
Inverse Next HOP Resolution Protocol**

Examiner: Unassigned

Art Group: 2661

**RECEIVED
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SEP 10 2004****Mail Stop Petition**
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extension of time actually abandoned.

Applicant submitted a Petition for Revival of an Application for Patent Abandoned Unavoidably Under 37 CFR 1.137(a) on June 20, 2003. Applicant received their return postcard from the U.S. Patent and Trademark Office (USPTO) date stamped received June 23, 2003. Applicant's check number 14279 in the amount of \$240.00 (\$110 for the petition fee and \$130 for the missing parts fee) was cashed in July 2003. A copy of the return postcard and check are enclosed herewith. However, no action has been conducted by the USPTO to date.

Applicant respectfully requests entry and consideration of the Petition for Revival, enclosed herewith. Reinstatement and revival of this application without further delay is respectfully requested.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Dated: September 10, 2004
William W. SchaafReg. No. 39,018
12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025
Telephone: (714) 557-3800

PTO/SB/61 (05-03)

Approved for use through 4/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)		Docket Number (Optional) 82771P332PCTUS
First Named Inventor James V. Luciani	Art Unit 2661	
Application Number: 09/786,529	Examiner:	
Filed: February 23, 2001		
Title: A Non-Broadcast, Multiple Access Inverse Next HOP Resolution Protocol (InNHRP)		
Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9382.		
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.		
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION. NOTE: A grantable petition requires the following items:		
<ul style="list-style-type: none"> (1) Petition fee. (2) Reply and/or issue fee. (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and (4) Adequate showing of the cause of unavoidable delay. 		
1. Petition fee		
<input type="checkbox"/> Small entity - fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27.		
<input checked="" type="checkbox"/> Other than small entity - fee \$ <u>110.00</u> (37 CFR 1.17(l)).		
2. Reply and/or fee		
A. The reply and/or fee to the above-noted Office action in the form of		
<u>Response to Notification of Missing</u> (identify the type of reply):		
<u>Requirements Under 35 U.S.C. 371</u>		
<input type="checkbox"/> has been filed previously on _____		
<input checked="" type="checkbox"/> is enclosed herewith.		
B. The issue fee of \$ _____		
<input type="checkbox"/> has been filed previously on _____		
<input type="checkbox"/> is enclosed herewith.		

(Page 1 of 3)

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)****RECEIVED
CENTRAL FAX CENTER****SEP 10 2004****3. Terminal disclaimer with disclaimer fee**

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity of \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

June 20, 2003
Date

George L. Fountain
Signature

(714) 557-3800
Telephone Number

George L. Fountain
Typed or printed name

12400 Wilshire Boulevard, 7th Floor
Address

Los Angeles, CA 90025-1030
Address

- Enclosure ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☒ Additional sheets containing statements establishing unavoidable delay
- ☒ Declaration & POA, cc of Missing Requirements, copy of Notice of Abandonment.

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

June 20, 2003
Date

Laura R. Dixon
Signature

Laura R. Dixon
Typed or printed name of person signing certificate

PTO/SB/61 (05-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

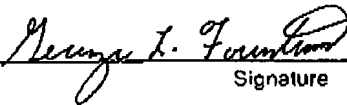
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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

June 20, 2003

Date



Signature

George L. Fountain

Typed or printed name

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SEP 10 2004

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

Please see attachment.

(Please attach additional sheets if additional space is needed.)

(Page 3 of 3)